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## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT NEW YORK

IN RE: EX PARTE APPLICATION OF EURASIAN NATURAL RESOURCES CORPORATION LIMITED PURSUANT TO 28 U.S.C. § 1782 FOR LEAVE TO TAKE DISCOVERY FOR USE IN FOREIGN PROCEEDINGS

Applicant.

Case No. 1:20-mc-00312-ER

Hon. Edgardo Ramos

**ECF** Case

**Oral Argument Requested** 

## NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law; Declarations of Laura R. Handman, Beth Silfin, and Tom Burgis; and supporting documents, Respondent HarperCollins Publishers, LLC ("Respondent") will move this Court before the Honorable Judge Edgardo Ramos at the United States District Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York 10007, for an order pursuant to Federal Rule of Civil Procedure 45(d)(3) quashing the amended subpoena issued upon it by Petitioner Eurasian Natural Resources Corporation Limited ("Petitioner"), or, in the alternative, for a protective order under Federal Rule of Civil Procedure 26(c). Pursuant to Judge Ramos's Individual Practice Rules, Respondent respectfully requests oral argument on this motion via the accompanying letter.

**PLEASE TAKE FURTHER NOTICE** that in accordance with the briefing schedule set by this Court, Petitioner's response papers are due to be filed and served on December 15, 2020; and Respondent's reply papers are due to be filed and served on December 22, 2020.

Dated: New York, New York. November 24, 2020 Respectfully submitted,

## DAVIS WRIGHT TREMAINE LLP

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